

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

CLAUDE GENE LEE, SR.,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	CASE NO. 1:06-CV-874-MHT
	)	
WESTPOINT HOME, INC.,	)	
	)	
Defendant.	)	

**DEFENDANT WESTPOINT HOME, INC.'S PROPOSED VOIR DIRE**

Defendant WestPoint Home, Inc. ("WestPoint Home") submits the following questions which it requests the Court to address to the prospective jurors in this case:

1. The Plaintiff in this case is Claude Gene Lee, Sr. Do any of you know, or are you acquainted, even slightly, with Mr. Lee or his wife, Joann Lee, or his daughters Tamela and Katrina, or any member of their family?

2. Mr. Lee is being represented by Jay E. Tidwell, Esq., Veal Cloud & Tidwell, LLC, 2112 11th Avenue South, Suite 217, Birmingham, AL 35205; William ("Bill") M. Dawson, Stephen C. Wallace, Esq., Dawson & Wallace, LLC, 2229 Morris Avenue, Birmingham, AL 35203; and Richard E. Crum, Esq. and M. Russ Goodman, Esq., Shealy, Crum & Pike, P.C., 2346 West Main Street, Dothan, AL 36301. Do any of you know, or are you acquainted, even slightly, with Mr. Tidwell, Mr. Dawson, Mr. Wallace, Mr. Crum, and/or Mr. Goodman?

3. Do any of you know, even slightly, any of the attorneys or employees who work with Mr. Tidwell, Mr. Wallace, Mr. Dawson, Mr. Crum, and/or Mr. Goodman?

4. Do you or any member of your family now work, or have you ever worked, for or with Mr. Tidwell, Mr. Wallace, Mr. Dawson, Mr. Crum, and/or Mr. Goodman?

5. Have you or any member of your family ever been represented or sued by Mr. Tidwell, Mr. Dawson, Mr. Wallace, Mr. Crum, and/or Mr. Goodman, or any member of their respective firms?

6. Have any of you seen any advertisements by Mr. Tidwell's law firm, Veal, Cloud & Tidwell, LLC; Mr. Dawson and Mr. Wallace's law firm, Dawson & Wallace, LLC; and/or Mr. Crum and Mr. Goodman's law firm, Shealy, Crum & Pike, P.C.? If so, do you believe the advertisements will affect your ability to serve as a juror in this case?

7. Have any of you or any member of your family ever been employed by WestPoint Stevens or WestPoint Home?

8. Have any of you or any member of your family ever had a complaint against or dispute with WestPoint Stevens or WestPoint Home?

9. In this case, the Plaintiff, Claude Gene Lee, Sr., gets to present his evidence first, before the Defendant, WestPoint Home, will get a chance to present any evidence on its behalf. Is there any one of you who is not willing to wait until you have heard WestPoint Home's evidence and the Court's instructions before you make a decision in the case?

10. Is there anyone who has negative feelings about WestPoint Home, because it is the company that purchased WestPoint Stevens out of bankruptcy? If so, please explain.

11. Is there anyone who has negative feelings about WestPoint Stevens or WestPoint Home, because the manufacturing at WestPoint Home's Abbeville Plant is being closed and as a result employees have been and are being laid off? If so, please explain.

12. Is there anyone who has negative feelings about WestPoint Stevens or WestPoint Home in general? If so, please explain.

13. If you disagree with one or more decisions made by WestPoint Home towards Mr. Lee, but do not believe WestPoint Home discriminated against Mr. Lee because of his race, would you be able to decide in favor of WestPoint Home, even though you disagree with WestPoint Home's decisions?

14. Do any of you know any other potential jurors here today?

15. Has any member of your family ever attended law school, a paralegal certificate program, or worked in a law office?

16. Have you or any member of your family ever participated in a focus group or mock trial?

17. Is there anyone who will not be able to separate out any feelings of sympathy or compassion that you may have toward Mr. Lee and decide the case on the facts – without sympathy or compassion for the Mr. Lee and without prejudice against WestPoint Home?

18. Would any of you be inclined to rule for the Mr. Lee just because you thought WestPoint Home could afford to pay him?

19. Have you or any member of your family ever had any dissatisfaction with the judicial process or the outcome of a lawsuit? If so, please explain.

20. If you have served on a jury before, what did the case involve and what was the verdict? Did you serve as foreperson?

21. Have any of you or any member of your family ever been employed by the Equal Employment Opportunity Commission or any other agency that investigates claims of discrimination? If so, please explain.

22. Do you know, even slightly, the following persons who have been identified as potential witnesses:

Michael Alford  
Billy Wayne Bedsole  
Lottie Benson  
Jeff Engle  
Mike Ethridge  
Clifford Frazier  
Angela Harvell  
Michael Lingo  
Frank Major  
James Glenn McCants  
Kemesha McGahee  
Brendt Murphy  
Woodrow Sluss  
Craig Taylor  
Tameka Taylor  
Clara Thomas  
Bob Turner  
E. D. Walker  
Rosie Wright

23. Have any of you or any member of your family ever observed or suffered from what you believe to be discrimination? If so, explain.

24. If individuals employed or formerly employed by WestPoint Stevens or WestPoint Home testify in this case, is there any reason you would disbelieve their testimony simply because they worked at WestPoint Stevens or WestPoint Home?

25. Have any of you or any member of your family ever worked in the textile industry? If so, in what capacity?

26. Have any of you or any member of your family ever worked in a manufacturing plant? If so, in what capacity?

27. Have any of you or any member of your family ever received training of any kind regarding what constitutes discrimination on the basis of race, sex, age, national origin or disability status? If so, please explain.

28. Have any of you or any member of your family ever been involved in any way with employment discrimination?

29. Do any of you think that discrimination on the basis of color or race happens often or frequently in the workplace?

30. Have any of you or any member of your family ever been forced to leave a place of employment under what you or they thought were unfair or unlawful circumstances? If so, please explain.

31. Have any of you or any member of your family ever been removed from a position at work or been demoted under what you or they thought were unfair or unlawful circumstances? If so, please explain.

32. Have any of you or any member of your family ever been involuntarily discharged from employment? If so, please explain.

33. Have any of you or any member of your family ever filed a grievance, complaint, or lawsuit against an employer? If so, when, why and explain the outcome.

34. Do you agree that a new owner of a business can change the expectations of and requirements for employees?

35. Have any of you or any member of your family ever worked somewhere where you felt discrimination policies were not properly enforced?

36. Do any of you know anyone who was wrongfully accused of discrimination?

37. How many of you believe that employees are generally treated unfairly by their employers?

38. Have any of you ever held a supervisor or management position? If so, what was the position and what were your duties?

39. Have any of you ever been involved in any decision to hire, evaluate, promote, terminate, suspend, or discipline another employee?

40. Have any of you or any member of your family worked in any capacity in a personnel or human resources office? If so, what was the position and what were your duties?

41. How many of you believe that employees are generally treated unfairly by human resources or other personnel offices?

42. Do any of you have any reason why you should not serve as a member of this jury or feel in the slightest way some reluctance about serving as a member of this jury?

43. Would you be reluctant to find in favor of a WestPoint Home - the party being sued - if Mr. Lee - the party who brought the lawsuit - did not prove his claims?

44. If you believed that a member of your family had been discriminated against at work, would you be uncomfortable with someone such as yourself sitting on the jury?

45. Is there anyone who would automatically have doubts or preconceived notions about an employer who has merely been accused of discrimination?

46. Is there anyone who does not understand that the mere fact that Mr. Lee has filed this lawsuit does not mean that WestPoint Home treated him unlawfully?

47. Do any of you believe that damages should be awarded in any case simply because a Mr. Lee asks for them?

48. Would any of you be inclined to rule for Mr. Lee just because you wanted to give Mr. Lee the benefit of the doubt?

49. Is there anyone who would not be able to follow the Judge's instructions about what the law is even if you personally believe the law should be different?

50. After listening to the opinions of your fellow jurors, will you be able to stick to your conviction and hold on to your own vote, even if you are the only one that thinks that way? Raise your hand if you cannot.

51. Do you know of any reason, or has anything ever happened to you or anyone else, that would cause you not to be able to be impartial to WestPoint Home?

Respectfully submitted this the 9th day of October, 2007.

s/ Kelly F. Pate

One of the Attorneys for Defendant WestPoint Home, Inc.

**OF COUNSEL:**

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**CERTIFICATE OF SERVICE**

I hereby certify that I have electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing and/or that a copy of the

foregoing has been served upon the following by placing a copy of same in the United States mail, properly addressed and postage prepaid, on this the 9th day of October, 2007:

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s/ Kelly F. Pate  
Of Counsel